

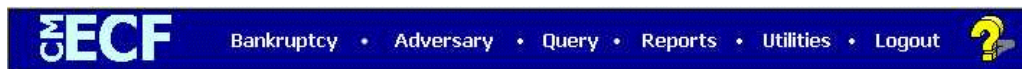
How To File An Adversary Proceeding or Notice of Removal

Opening an Adversary proceeding involves entering the necessary information regarding the plaintiff, defendant, and basic statistical data. The complaint is incorporated into this process and will not need to be docketed separately. During the filing of this event, unlike the opening of a Bankruptcy case, the attorney for the plaintiff must select himself/herself at the attorney selection screen.

Prepare the complaint (*or notice of removal if the case is being removed to federal court*) in PDF format before you begin the process of opening the adversary proceeding.

Note: Before beginning, you must carefully make note of the case number of the main bankruptcy case with which this adversary proceeding will be associated.

Step 1 Click on the **MAIN MENU** that appears immediately after logging in, and click on “Adversary.”



Step 2 The **ADVERSARY EVENTS** screen appears. Click on **Open AP Case** hyperlink. (*Miscellaneous Proceeding, such as an ancillary proceeding cannot be opened by attorneys at this time and must be filed conventionally with the court.*)



Note: Select **Open AP Case** then the **Complaint** Event for Notices of Removal. The Notice of Removal choice will be found in the pull down box as a type of complaint.

Step 3 The **OPEN ADVERSARY CASE** screen appears. The **Case Data** is entered on this screen. .

Open Adversary Case

Case type

Date filed 10/24/2002

Complaint

1. The **Case Type** is **ap** for adversary proceeding.
2. The **Case Number** field is left blank. The case number is generated at the end of this process. Make sure you take note of it on the final screen
3. The **Date Filed** box cannot be changed and should display the current date.
4. The **Complaint** field signifies the lead event for this proceeding. If you are filing something other than a complaint such as a Notice of Removal, change the y to **n**.
5. Click **Next** to continue.

Step 4 The **LEAD CASE/ASSOCIATION TYPE** screen appears.

Open Adversary Case

Lead case number

Association type

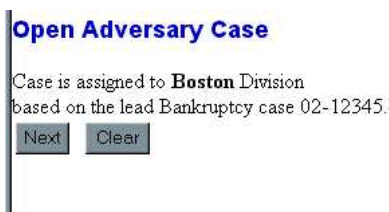
- Enter the main bankruptcy case number in the **Lead case number** field including hyphens.

Note: If the case number is invalid or if the lead case does not reside on this database, an error message, “**YY-NNNNN**” is not a valid case. Please enter a valid value.” is generated. You will not be able to proceed with the case opening process. Research the reason for the error.

- Select the **Association type** in the drop down box. If the adversary you are filing is not a dischargeability complaint or objection to discharge, then simply select related. A linkage between the two cases will be created. *(Other associations are Consolidated, Jointly Administrated, and Related.)*

- Before clicking **Next**, double check that you have entered the correct number.
- Click **Next** to continue.

Step 5 The **CASE ASSIGNMENT** screen displays. Case Assignment is based on the lead Bankruptcy case.



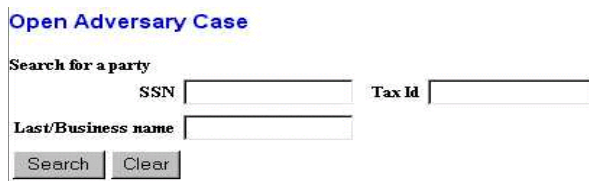
Open Adversary Case

Case is assigned to **Boston** Division
based on the lead Bankruptcy case 02-12345.

Next Clear

- Click **Next** to continue.

Step 6 The **SEARCH FOR A PARTY** screen appears. Before adding a party it is recommended that you search the database for the filer. Enter the Last Name or Business Name, SSN or Tax ID of the Plaintiff.



Open Adversary Case

Search for a party

SSN Tax Id

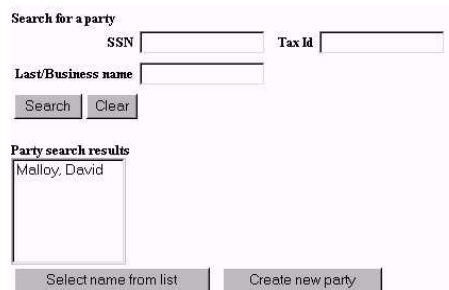
Last/Business name

Search Clear

- Enter the last name of the party to be searched. If this is a business filing, enter the first word of the name to search the database. The entire business name is stored in the **Last/Business name field**. The field is 200 characters.

Search Hints:

- Enter one field or data for each search
- Format Social Security or Tax Id Numbers with hyphens
- Include punctuation (Garcia-Carrera)
- Try alternate search clues if your first search is not successful.
- Partial names may be entered.
- Wild cards (*) should not be used especially by itself. ALL records in the database will be searched and unnecessary system resources will be used.

Step 7 The **SEARCH RESULTS** screen appears.

Search for a party

SSN Tax Id

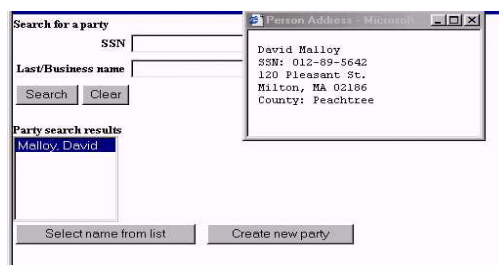
Last/Business name

Party search results

Malloy, David

Note: If the designated party was already in the database, the Party Search Results screen would provide a listing of parties matching your search criteria. In that situation, you would select the party by highlighting the name with your mouse and click on the **Select Name From List** button.

- The name search may find more than one record having the same name. Clicking on each name will display a window showing the party's address information for verification.



Search for a party

SSN Last/Business name

Party search results

Malloy, David

Person Address - Malloy, David

David Malloy
SSN: 012-89-5642
120 Pleasant St.
Milton, MA 02186
County: Peachtree

- If none of the parties displayed match the party you are looking for, click on the **Create new party** button to add a new person record with the correct address.

Step 8 Once the party has been found or has been entered in the system, the **PARTY INFORMATION** screen appears. Whether you add a party from a master record or create a new party record, complete the party Information.

- ***It is essential that you select the correct party role (**Plaintiff, Plaintiff's Counsel or Defendant**) for each entity you add as a party.***

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Party Information

ABC CREDIT CORP. SSN: Unknown

Office Address 1

Address 2 10 Commonwealth Ave. Address 3

City Boston State MA Zip 02114

County Suffolk Country

Phone 555-1313 Fax 555-1414

E-mail

ProSe no Role Plaintiff (pla:pty)

Party text

Attorney... Alias... Review... Add all attorneys and aliases before clicking the Submit button.

Submit Cancel Clear

- Always add the plaintiff first remembering to select plaintiff as the Party Type.
- The **Party Text** field is used for further party description, such as a Massachusetts Corporation, or Trustee for the Estate of or Chapter 7 Trustee. Whatever is entered in the Party Text field will appear in the Title of the adversary proceeding.
- After adding the plaintiff, you will need to add/link yourself as the attorney representing the plaintiff(s) to the plaintiff's party record.
- Your attorney record already exists on the court's database in an attorney roll that is maintained by Clerk's office staff.
- Click **Attorney** button at the bottom of the screen.

Step 9 The **ATTORNEY SEARCH** screen appears. This screen allows you to retrieve the attorney record by either State Bar ID number or Last Name (or partial Last Name).

Search for an attorney

Bar Id

Last name

Search Clear

- Enter either the Bar ID number or the last name and click on **Search**.

Step 10 The **ATTORNEY SEARCH RESULTS** screen will display all of the matches for the search clue you entered.



Search for an attorney

Bar ID

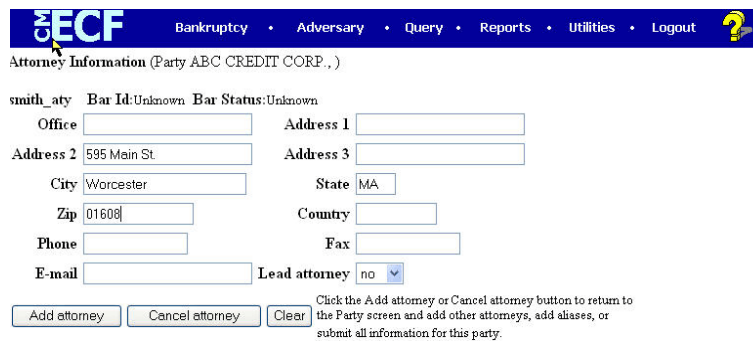
Last name

Attorney search results

Crossen, Judith

Note: Your search may find more than one person having the same name as shown in the figure above. Clicking on each of the names will display a window the person's address information for verification. If the name is correct and the address is out of date, accept the name and change the address on the following Attorney Information screen otherwise, you must create a new person record and address for your attorney.

Step 11 The **ATTORNEY INFORMATION** screen displays the master attorney record from the Court's attorney roll.



ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Attorney Information (Party ABC CREDIT CORP.,)

smith_aty Bar Id:Unknown Bar Status:Unknown

Office Address 1

Address 2 595 Main St. Address 3

City Worcester State MA

Zip 01608 Country

Phone Fax

E-mail Lead attorney no

Click the Add attorney or Cancel attorney button to return to the Party screen and add other attorneys, add aliases, or submit all information for this party.

- An attorney record may only accommodate one address per record. If the address for this case should be different than the master record, make changes to this screen. **THIS WILL CHANGE PROFESSIONAL AND MAILING INFORMATION FOR THIS CASE ONLY. DO NOT USE THIS METHOD AS A GLOBAL CHANGE OF ADDRESS.**
- After verifying the information, click **Add Attorney** to associate this record with the plaintiff.
- The **PARTY INFORMATION** screen reappears. It is wise to click **Review** to verify attorney and alias information for this party.
- Click on **Return to Party** screen button.
- When the **PARTY INFORMATION** screen appears again, click on **Submit**.

Step 12 The **PARTY SEARCH** screen appears again. If there are no other plaintiffs to enter, enter party information for the defendant.



Open Adversary Case

Search for a party

SSN Tax ID

Last/Business name

- Follow the same steps previously used to find a party. Enter a search clue

Adversary Proceedings and Adversary Documents

to bring up records related to the defendant's name.

- Highlight the matching name retrieved from the database and verify that you have found the correct party before you select them.

Step 13 Selecting the party will open the **PARTY INFORMATION** screen.

- You must select the Party Role by clicking the down arrow for the **Party Role** field. Highlight defendant and click on Submit.
- Do Not add an attorney for the defendant. This will be done at a later time.
- The **PARTY SEARCH** screen will reappear. If there are more than one defendant, repeat the process of searching and adding defendants until they are all entered.
- Click the **End Party Selection** button when there are no more parties to add.

Step 14 The **ADVERSARY STATISTICAL** screen appears. Please complete the required information by reviewing and selecting the appropriate option in each drop down box.

- The **Party code** field has three choices (*click the down arrow*) to indicate

whether the United States is a party and if so, whether it is a plaintiff or a defendant. Unless the U.S. is a plaintiff or defendant, accept the default **US is not a Party**.

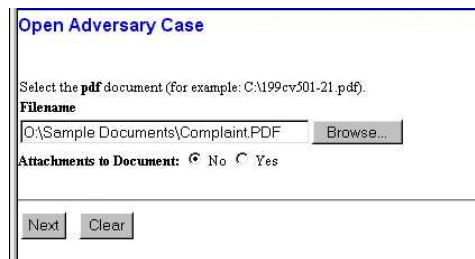
- The **Nature of Suit (NOS)** field includes a list of types of claims for relief. Choose the primary claim for relief (***You can only choose one, however selecting one primary NOS does NOT eliminate the additional causes of action contained in your complaint or require you to file additional complaints.***)

IMPORTANT NOTE

IF THE COMPLAINT ALLEGES MULTIPLE CLAIMS FOR RELIEF AND IF ONE IS A SECTION 727 OBJECTION TO DISCHARGE, ALWAYS SELECT “424 (OBJ/REVOCATION DISCHARGE 727).”

- In the **Origin** field, either leave the selection as “original proceeding” or click on the down arrow and select “removed from state” if proceeding is being removed from state court or other district.
- Leave the **Transfer Date** field blank.
- The default in the **Rule 23 (Class Action)** box is “n”. Change the default to “y” only if this is a Class Action suit.
- Select the appropriate response in the **Jury demand** filed.
- If the complaint seeks a money judgment, complete the **Demand (\$000)** field. Type in the amount in thousands, e.g., to indicate a demand of \$100,000, type “100” into the Demand field. If the demand for a money judgment is for less than \$1,000, type in “1.” If the complaint does not seek a money judgment, leave the field blank.
- Double check the information provided, and then click on **Next** and continue.

- Step 15** The **BROWSE FOR PDF DOCUMENT** screen appears. Retrieve the PDF document which should consist of the **Adversary Cover Sheet and the Complaint**.



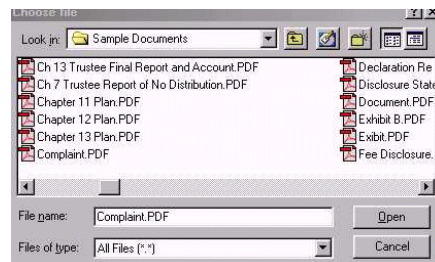
Open Adversary Case

Select the **pdf** document (for example: C:\199cv501-21.pdf).

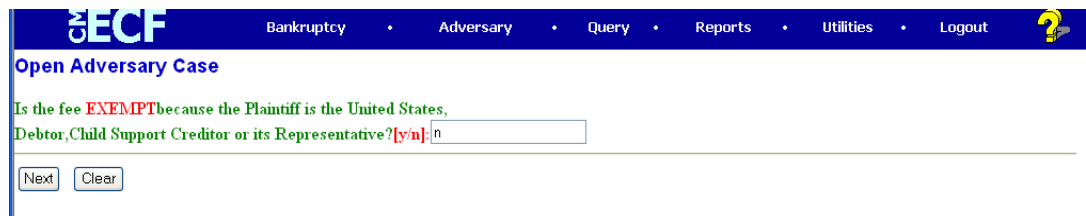
Filename
J:\Sample Documents\Complaint.PDF

Attachments to Document: ☒ No ☐ Yes

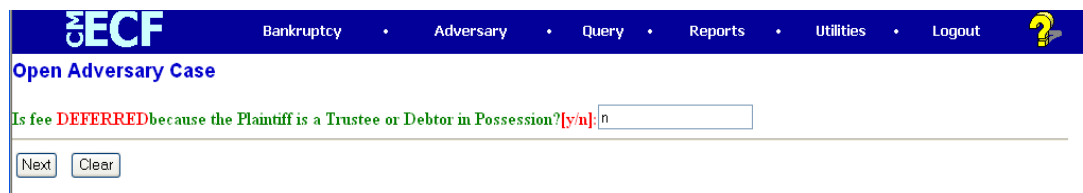
- To associate the imaged document with this entry, select the PDF filename of the complaint you are filing.
- Click **Browse**, then navigate to the directory where the appropriate PDF file is located and select it with your mouse.



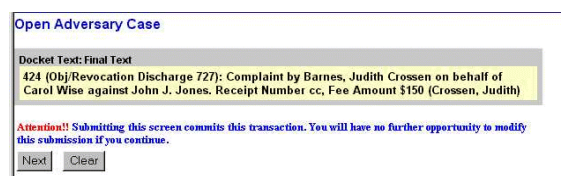
- Make certain it is the correct document by right clicking the filename with your mouse and select **Open**.
- This will launch Adobe Acrobat Reader displaying the contents of the imaged document. Verify that the document is correct then close the Adobe application.
- If the file was the correct document, click **Open** on the File Upload dialogue box.
- Select “**yes**” if there are attachments to be added to this document.
- Click **Next** to continue.

Step 16 The **FINANCIAL** screens appear.

- Answer the question and Click **Next** to continue.



- Answer the question and Click **Next** to continue.

Step 17 The **MODIFY TEXT** screen appears. Verify the accuracy of the docket text. The information displayed here is what will print on the docket.

- This is your final opportunity to review the docket text and make any corrections necessary. Click the browser **Back** button at the top of the screen to return to the any needed screen to make corrections.

Note: When an adversary proceeding is opened, the complaint information will spread over to the main bankruptcy case. Please make sure your information is correct on this screen.

- Clicking **Next** commits the transaction to the database and can no longer be modified by you.

Step 18 **The NOTICE OF ELECTRONIC FILING screen appears.** This screen serves as your receipt of filing the document. An adversary case number is now assigned to the case. A document number has been assigned to the complaint which is a hyperlink to the actual document. The docket sheets of both adversary and related bankruptcy case are available for review via PACER through the hyperlinks on this screen.

Open Adversary Case

U.S. Bankruptcy Court

U.S. Bankruptcy Court - District of Massachusetts

Notice of Electronic Filing

The following transaction was received from Crossen, Judith entered on 10/24/2002 at 11:07 AM CDT and filed (

Case Name: Wise v. Jones

Case Number: [02-01004](#)

Document Number: [1](#)

Case Name: John J. Jones

Case Number: [02-12345](#)

Document Number: [35](#)

Docket Text:

424 (Obj/Revocation Discharge 727): Complaint by Barnes, Judith Crossen on behalf of Carol Wise against John J. Jones. Fee Amount \$150 (Crossen, Judith)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:O:\Sample Documents\Complaint.PDF

Electronic document Stamp:

[STAMP bkecfStamp_ID=1021399670 [Date=10/24/2002] [FileNumber=1740-0]
[11a6e71c65c26e700b4a19c4927e826d9564a4fae044564b81fb100182e7f02f484cd
0f0ced1f063063d69643b0c7f8bb35d6e821c516f5bb496e5edd18632f4]]

Document description:Main Document

Original filename:O:\Sample Documents\Complaint.PDF

Electronic document Stamp:

[STAMP bkecfStamp_ID=1021399670 [Date=10/24/2002] [FileNumber=1741-1]
[8b9391476505f3768eead0cc586d4b4a9a1f647e0722161121c6e5b5ef372f0d5a20c
c7fa0ea4dc5a23dd559d2ea286080f11deb1bda1541f968c606bec36d3ee]]

02-01004 Notice will be electronically mailed to:

02-01004 Notice will not be electronically mailed to:

Barnes

02-12345 Notice will be electronically mailed to:

Judith Crossen judith_crossen@mab.uscourts.gov,

02-12345 Notice will not be electronically mailed to:

Barnes

John J. Jones

56 Plummit St.